



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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February 10, 2009

IN REPLY PLEASE

REFER TO FILE:

C-1

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACT
STOCKER STREET MEDIAN LANDSCAPING IMPROVEMENT PROJECT
CAPITAL PROJECT NO. 86915
UNINCORPORATED COMMUNITY OF VIEW PARK
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

This action is to award a public works construction contract for Stocker Street Median Landscaping Improvement Project and authorize the Director of Public Works or her designee to execute the contract with the contractor for work involving landscaping and installing an irrigation system in the unincorporated community of View Park.

IT IS RECOMMENDED THAT YOUR BOARD:

Award and authorize the Director of Public Works or her designee to prepare the construction contract in the form previously approved by County Counsel, execute the contract, and establish the effective date following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractor for the following:

- Project ID No. RDC0015083 - Stocker Street Median Landscaping Improvement Project (Capital Project No. 86915), to landscape and install an irrigation system, in the unincorporated community of View Park, to Land Forms Landscape Construction, in amount of \$500,198.42.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to obtain your Board's approval to award this construction contract and authorize the Director of Public Works or her designee to execute the contract and establish the effective contract date following receipt of approved bonds and insurance filed by the contractor for this project.

The attachment includes the project description, the call for bids and bid opening date, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal are also attached including an addendum to the contract specifications for this project.

The recommended construction contract is necessary to execute a Board-directed and approved Department of Public Works (Public Works) project in support of operational missions. Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Service Excellence (Goal 1) and Community Services (Goal 6). Awarding this contract will provide improved infrastructure to better serve the public and will enhance the quality of life in the affected community.

FISCAL IMPACT/FINANCING

The recommended contract amount of \$500,198.42 will have no impact to the County General Fund.

The attachment includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

This project is included in the Fiscal Year 2008-09 Capital Projects/Refurbishment Budget under Capital Project No. 86915.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract agreement will be in the form previously reviewed and approved by County Counsel. The recommended contract was solicited on an open competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

This contract contains terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to the lowest responsive and responsible bidder, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation, including, but not limited to licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to the lowest responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of this finding are included in the attachment.

CONTRACTING PROCESS

The contract was solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids.

Public Works will review and approve the faithful performance and payment bonds filed by the contractor.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This construction contract will result in improved public works infrastructure in the community where the work is scheduled.

CONCLUSION

Please return one adopted copy of this letter to Public Works, Construction Division.

Respectfully submitted,


GAIL FARBER
Director of Public Works

GF:JTS:lgn

Attachment

c: Chief Executive Office (Lari Sheehan)
County Counsel
Office of Affirmative Action Compliance

AWARD OF CONTRACT

February 10, 2009

PROJECT ID NO. RDC0015083 - STOCKER STREET MEDIAN LANDSCAPING
IMPROVEMENT PROJECT (CAPITAL PROJECT NO. 86915) (in the unincorporated
community of View Park), Supervisorial District 2

TYPE OF WORK: Landscaping within the existing raised medians and installation of
an irrigation system.

CALL FOR BIDS DATE: November 18, 2008 (Agenda Item 49)

BID OPENING DATE: December 16, 2008

BID SUMMARY:

Low	Jeff Tracy, Inc., a corporation dba Land Forms Landscape Construction 27601 Forbes Road, Suite 36 Laguna Niguel, California 92677 (949) 582-0877	\$ 500,198.42
2	East Bay Construction Co., Inc.	\$ 543,683.66
3	Environmental Construction, Inc.	\$ 546,953.30
4	Rock Bottom, Inc.	\$ 565,001.40
5	*Diversified Landscape Management, Inc.	\$ 568,331.66
6	Marina Landscape, Inc.	\$ 602,000.00
7	+Tropical Creations, Inc.	\$ 624,506.79
8	Park West Landscape, Inc.	\$ 669,610.00
9	C.S. Legacy Constructions, Inc.	\$ 708,659.00
10	Valley Crest Development, Inc.	\$ 726,074.50
11	Bannaoun Engineers Constructors	\$ 733,748.00
12	Pima Corporation	\$ 737,355.50
13	+America West Landscape, Inc.	\$ 741,813.67
14	Elite Landscaping, Inc.	\$ 753,320.32
15	DMA Greencare Contracting, Inc.	\$ 872,826.51
16	*Griffith Company	\$1,027,581.95

*MWBE

+LSBE

Belaire West Landscape, Inc., submitted a bid in the amount of \$678,036.00; however, they did not properly disclose ongoing civil litigation in their bid proposal. Therefore, their bid was considered nonresponsive and rejected as provided in the Instructions to Bidders.

Allison's New Leaf, Inc., submitted a bid in the amount of \$832,613.90; however, they did not properly sign the bid proposal. Therefore, their bid was considered nonresponsive and rejected as provided in the Instructions to Bidders.

FINANCIAL INFORMATION:

Amount of estimate	\$943,113.00
Amount of recommended contract	\$500,198.42
Amount of recommended contract below estimate	\$442,914.58

The amount of the recommended contract is 47 percent below the estimate.

Sufficient funds for the project construction are included in the Fiscal Year 2008-09 Capital Projects/Refurbishment Budget under Capital Project No. 86915.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Land Forms Landscape Construction has no MWBE subcontractors/suppliers under this contract.

ENVIRONMENTAL IMPACT:

On November 18, 2008, Agenda Item 49, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 80 working days. It is estimated the work will start in March and be completed in July 2009.

KA:en